

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 9 be amended to read as follows:

- 1           Page 6, delete lines 9 through 27, begin a new paragraph and
- 2           insert:
- 3           "SECTION 2. IC 22-11-14-10.5 IS ADDED TO THE
- 4           INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5           [EFFECTIVE UPON PASSAGE]: **Sec. 10.5 (a) As used in this**
- 6           **section, the term "use" means the ability of a county or**
- 7           **municipality to regulate the days and hours when consumer**
- 8           **fireworks may be used, ignited or discharged.**
- 9           **(b) Notwithstanding any other provision of this chapter:**
- 10           **(1) a county may adopt an ordinance concerning the**
- 11           **use of fireworks in the unincorporated areas of the**
- 12           **county; and**
- 13           **(2) a municipality may adopt an ordinance concerning**
- 14           **the use of fireworks within the corporate limits of the**
- 15           **municipality.**
- 16           **(c) An ordinance adopted under this section:**
- 17           **(1) may limit the use of fireworks in the county or**
- 18           **municipality;**
- 19           **(2) may not be more lenient than a rule adopted by a**
- 20           **state agency concerning the use of fireworks; and**
- 21           **(3) may not limit the use of fireworks:**
- 22                   **(A) between the hours of 5:00 p.m. and two hours**
- 23                   **after sunset on June 29, June 30, July 1, July 2,**
- 24                   **July 3, July 5, July 6, July 7, July 8 and July 9;**
- 25                   **and**
- 26                   **(B) between the hours of 10:00 a.m. and 12:00**
- 27                   **midnight on July 4 and December 31."**

(Reference is to SB 9 as printed January 26, 2007.)

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Senator WEATHERWAX